

Georgia Department of Agriculture

Pesticide Division, Room 543 – 19 M.L.K. Jr. Dr., • Atlanta, GA 30334 (404)-656-4958 Fax: (404)-657-8378

CONTRACTOR LICENSE INFORMATION SHEET

The Georgia Pesticide Use and Application Act of 1976 requires that any person engaged in the business of applying pesticides to the lands of another within the State of Georgia must first be issued a pesticide contractor's license by the Commissioner of Agriculture.

DEFINITION OF PESTICIDE CONTRACTOR

The term "pesticide" is defined as any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or pests. This definition includes herbicides, insecticides, fungicides, plant growth regulators, defoliants, etc. If you apply, as part of your business, or your company applies any type of pesticide to someone else's property and a fee is assessed for these applications, or if you perform applications as part of a maintenance contract, you are subject to this requirement.

EXAMPLES

Lawn Care/Maintenance CompanyAerial ApplicatorLandscape ContractorRight-of-Way ContractorTree SurgeonForester/Land Management CompanySwimming Pool Maintenance CompanyCustom Applicator

Janitorial Service Contractor Mosquito Control Contractor

REQUIREMENTS

- At least one (1) full-time certified commercial applicator in employment licensed in category(ies) of operation.
- Satisfying financial responsibility requirements.
- Completing an application and submitting a \$15.00 annual fee.

PENALTY

If your company is engaged in the application of pesticides to the property of another person and collecting a fee for this service without the proper license, an injunction may be sought against your company. A maximum fine of \$1,000.00 per violation may also be levied against your company. Each pesticide application performed without the required pesticide contractor license may be viewed as a separate violation, and fines assessed accordingly.

For more information, visit our website and click on the Pesticide Contractor link at: http://www.agr.state.ga.us/html/pesticide_division.html



Georgia Department of Agriculture

	Ocorgia Department of Agric	ultule								
Pesticide Division, 19 M.L.K. Jr. Drive, S.W., Room 550										
	Atlanta, Georgia 30334-4201	404-656-49	958							
	(Type or Print)	FAX: 404-657-83	FAX: 404-657-8378							
GEORGIA PESTICIDE CONTRACTOR LICENSE APPLICATION										
	Check One	Official Use Only								
	This the first time this company has applied	721 2								

Date of Application		Check One			Official Use Only						
	Day Year		This the first time this company has applied			721	2				
Month		ear		Č	e Contractor's License.		Amount \$				
			This	is a renewal applicati	on.	Voucher No.					
BUSINESS											
Business N	Business Name Phone										
↓ Mailing ↓					↓ Location (Street/Route) ↓						
Address					Address						
City	State				City State						
Zip	County / Code /				Zip C	County / Code /					
TYPE OF BUSINESS											
Company or Corporation Individual Partnership											
	Note: If individual or partnership, furnish name and address of owners. If company or corporation, give name and title of officers.										
(1) Name					(2)						
							-				
Address _ City			7in)		Address Zip					
					_						
Company /	Corporation										
Office					Title						
Office											
—					_ Title						
	Name			License #	Na	me	License #				
				COMMERCIA	L CATEGORIES						
Check only	the categories in v	which you	actually operate	and in which you ha	ave in full time employme	ent at least one certified co	ommercial applicator				
21 F	Plant Agricultural F	est Contro	ol	27 Right of Way P	est Control	37 Anti-microbial					
	Animal Agricultura			31 Public Health P							
	Forest Pest Control			34 Aerial Equipme	nt	39 Antifouling Pain	-				
24 (Ornamental and Tu	rf Pest Cor	ntrol	35 Industrial Institu	utional Health Related	41 Mosquito Contro	ıl				
26 A	26 Aquatic Pest Control 36 Wood Treatment										
EQUIPMENT USED											
List all equ	inment used excen	t hand nur	nns on reverse s	_		g Certificate # (Aerial onl	v)				
Dist air equ	-pinent used entep	t nana par			NSE FEE	g certificate ii (r reriai ciii	J)				
			φ1 5 00 1:				. (1.)				
This application must be accompanied by a \$15.00 license fee (Check or money order made payable to The Georgia Department of Agriculture)											
financial re 2-7-103 of	sponsibility at this the Georgia Pestic	and all tin ide Use an	certificate of lia nes throughout t d Application A	bilty insurance. By sthe pesticide contract act and section 40-21	or license period as require-8 of the rules of the George	ant certifies that this pestic red and in the minimum a rgia Pesticide Use and Ap	mount specified by section				
Have you entered a guilty plea or been found guilty after January 1, 1984 of											
					any violation of the Georgia Controlled Substance Act, which violation						
Applicant S	Signature	Print	ed Name	Title	involved the use of an aircraft? Yes No						

RULES

OF

GEORGIA DEPARTMENT OF AGRICULTURE PESTICIDE USE AND APPLICATION

CHAPTER 40-21-8 FINANCIAL RESPONSIBILITY

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40-21-8-.03 Insurance

40-21-8-.01 Persons Subject to Regulations. Amended.

Any individual, company, corporation or other business entity desiring to engage in the business of applying pesticides to the lands of another within this State shall secure a Pesticide Contractor's License. Granting of such license shall be conditioned on satisfactory proof of financial responsibility by all applicants other than those who are applying crop protection products to agricultural crops and who are requesting a Pesticide Contractor's License in only the Agricultural Plant Pest Category, with or without licensing in Aerial Methods.

Authority Ga. L. 1976, p. 369; O.C.G.A. Sec. 2-7-99. **Administrative History.** Original Rule entitled "Persons Subject to Regulations" was filed on June 24, 1974 as 40-21-1-.01; effective July 14, 1974. **Amended:** Rule repealed and a new Rule of same title adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.01. Filed July 10, 1978; effective July 30, 1978. **Repealed:** New Rule of same title adopted. F. Aug. 27, 1990; eff. Sept. 16, 1990.

40-21-8-.02 Certification of Financial Responsibility. Amended.

Proof of financial responsibility by the applicant for a Pesticide Contractor's license must be evidenced and furnished to the Commissioner of Agriculture by certification of liability insurance, by copy of an appropriate surety bond, or by certificate of deposit for a cash deposit. Forms for certification of liability insurance and for surety bonds shall be specified and furnished by the Commissioner of Agriculture.

Authority Ga. L. 1976, p. 369. **Administrative History.** Original Rule entitled "Certification of Financial Responsibility" was filed on June 24, 1974 as 40-21-1-.02; effective July 14, 1974. **Amended:** Rule repealed and a new Rule of same title adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.02. Filed July 10, 1978; effective July 30, 1978.

40-21-8-.03 Insurance. Amended.

Liability Insurance policies may include pollution exclusions or other exclusions only to the extent that they are not inconsistent with O.C.G.A. <u>2-7-103</u>, and shall be in the following minimum limits, including coverage for legal damages arising from the use of chemicals, dusting powders and the like, employed by the insured in his regular business operations: (a) Aerial Contractors

Bodily Injury \$50,000 Any One Occurrence

Property Damage \$25,000 Any One Occurrence

\$100,000 Aggregate

Maximum Deductible \$1,000 Per Occurrence

(b) Ground Contractors

Bodily Injury \$25,000 Any One Occurrence Property Damage \$10,000 Any One Occurrence

\$25,000 Aggregate

Maximum Deductible \$500 Per Occurrence

Authority Ga. L. 1976, p. 369. O.C.G.A. Secs. <u>2-7-90</u>, et seq. 2-7-103. **Administrative History.** Original Rule entitled "Insurance" was filed on June 24, 1974 as 40-21-1-.03; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Insurance Policy" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.03. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984. **Repealed:** New Rule of same title adopted. F. Aug. 27, 1990; eff. Sept. 16 1990.

40-21-8-.04 Surety Bond. Amended.

Surety Bonds shall be in the following minimum amounts, to cover legal damages arising from the use of chemicals, dusting powders and the like, employed by the principal in his regular business operations:

(a) Aerial Contractors

Minimum Bond \$50,000

Maximum Deductible \$1,000

(b) Ground Contractors

Minimum Bond \$20,000

Maximum Deductible \$500

Authority Ga. L. 1976, p. 369. O.C.G.A. Sec. 2-7-90, et seq. **Administrative History.** Original Rule entitled "Surety Bonds" was filed on June 24, 1974 as 40-21-1-.04; effective June 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Surety Bond" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.04. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984.

40-21-8-.05 Cash Deposit. Amended.

- (1) Cash deposits may be made in any bank of applicant's choice. Certificate of Deposit shall be made payable jointly to the depositor and the Georgia Commissioner of Agriculture; shall be endorsed by depositor and shall be maintained in the custody of the Commissioner of Agriculture during the period licensed and for 90 days thereafter. Deposits shall be in the following minimum amounts to cover legal damages arising from the use of chemicals, dusting powders and the like, employed by the depositor in his regular business operations:
- (a) Aerial Contractors \$50,000
- (b) Ground Contractors \$20,000
- (2) Cash deposits shall be subject to the same deductible amounts as the liability insurance and surety bonds, namely:
- (a) Aerial Contractors \$1,000
- (b) Ground Contractors \$500

Authority Ga. L. 1976, p. 369, O.C.G.A. Sec. <u>2-7-90</u>, et. seq. **Administrative History.** Original Rule entitled "Cash Deposits" was filed on June 24, 1974, as 40-21-1-.05; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Cash Deposit" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.05. Filed July 10, 1978; effective July 30, 1978. **Amended:** Filed May 17, 1984; effective June 6, 1984.

40-21-8-.06 Exclusion of Coverage. Amended.

Surety Bonds, liability insurance, and cash deposits shall not apply to damages or injury to agricultural crops, plants, or land being worked upon by the pesticide contractor. Authority Ga. L. 1976, p. 369. **Administrative History.** Original Rule entitled "Expiration of Insurance and Bonds" was filed on June 24, 1974 as 40-21-1-.06; effective July 14, 1974. **Amended:** Rule repealed and a new Rule entitled "Exclusions of Coverage" adopted. Filed July 5, 1977; effective July 25, 1977. **Amended:** Rule renumbered as 40-21-8-.06. Filed July 10, 1978; effective July 30, 1978.